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**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

FILE: B-190569

DATE: November 25, 1977

MATTER OF: List Industries Inc.

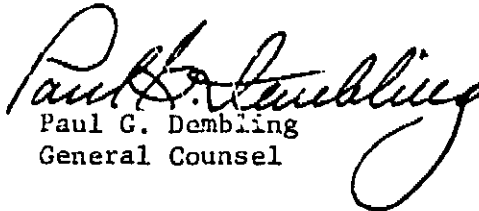
**DIGEST:**

Protest not received within 10 working days after basis for protest was known, notice that bid was nonresponsive, is untimely and not for consideration.

List Industries Inc. (List) protests the award of a contract for athletic lockers to Debourgh Manufacturing Company under invitation for bids (IFB) No. DAHCO2-77-B-2584, issued by the United States Military Academy, West Point, New York (West Point). List was advised by West Point on October 3, 1977, that its bid was nonresponsive. List's protest was received by our Office on October 27, 1977. List argues that its bid was responsive and that West Point's interpretation of specifications precluded meaningful competition.

Our Bid Protest Procedures, 4 C.F.R. § 20.2(b)(2) (1977), require that a protest be received by the General Accounting Office within 10 working days after the basis of protest is known or should have been known, whichever is earlier.

Accordingly, List's protest should have been received by October 18 at the latest, since it knew of the basis of its protest on October 3. The protest is, therefore, untimely and not for consideration on the merits.

  
Paul G. Dembling  
General Counsel